

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA**

**IN THE MATTER OF THE SEARCH
OF:
FREE AGENT GO SEAGATE HARD
DRIVE SERIAL NUMBER 5RN0BYHE,
COMPAQ PRESARIO F700 LAPTOP
SERIAL NUMBER CNF7415CW3,
COMPAQ MODEL CQ62-423NR
SERIAL NUMBER CNF12520HP**

Case No. 3:24-cr-00388

**AFFIDAVIT IN SUPPORT OF AN APPLICATION UNDER RULE 41
FOR A WARRANT TO SEARCH AND SEIZE**

1. I, Andrew Fales, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

2. I make this affidavit in support of an application under Rule 41 of the Federal Rules of Criminal Procedure for a warrant to search: the, Free Agent Go Seagate hard drive Serial Number 5RN0BYHE, Compaq Presario F700 Laptop Serial Number CNF7415CW3, and Compaq Model CQ62-423NR Serial Number CNF12520HP located at FBI Columbia Field Office, 222 Caughman Farm Lane, Lexington, SC.

3. I am a Special Agent with the Federal Bureau of Investigation (FBI) and have been since August 27, 2023. I am currently assigned to the FBI Columbia, South Carolina Field Office and primarily investigate Domestic Terrorism violations. I have investigated various types of domestic terrorism crimes such as Racially or Ethnically Motivated Violent Extremists and Anti-Government or Anti-Authority Violent Extremists. Prior to graduating from the FBI Academy, I was a Parole Agent with the California Department of Corrections and Rehabilitation, working primarily sex offender investigations. My experience as a Parole Agent included the search of electronic devices such as cell phones, tablets, and removable

hard drives for illegal material related to drug and sex offenses. In addition to relying on my training at the FBI Academy and in the field, I am also relying on the training, experience, and knowledge of other FBI agents who are assisting in this matter.

PURPOSE OF AFFIDAVIT

4. Based on the facts set forth in this Affidavit, there is probable cause to believe that a violation of 18 U.S.C. § 2252A: Certain Activities Relating to Material Constituting or Containing Child Pornography, (the “Target Offenses”) has been committed by Donald Ray Hurst Jr. (Hurst Jr.). There is also probable cause to search the items described in Attachment A for evidence, instrumentalities, contraband, and/or fruits of these crimes further described in Attachment B.

5. This Affidavit is intended to show merely that there is sufficient probable cause for the requested warrants and does not set forth all of my knowledge about this matter. The facts set forth in this affidavit are based upon my personal observations, my training and experience, and information obtained from various law enforcement personnel and witnesses. I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary for the purpose of establishing probable cause to conduct a search of the items described in Attachment A for evidence, contraband, and/or instrumentalities of the criminal conduct described herein as further described in Attachment B. Additionally, unless otherwise indicated, wherever in this Affidavit I assert that an individual made a statement, that statement is described in substance herein and is not intended to be a verbatim recitation of such statement. Furthermore, unless otherwise indicated, all statements contained in this Affidavit are summaries in substance and in part. The following is true to the best of my knowledge and belief.

PROBABLE CAUSE

6. On April 2, 2024 at approximately 6:00 a.m., FBI Special Agents, Task Force Officers, and personnel executed a federal search warrant, signed by the honorable Judge Kevin F. McDonald on March 29, 2024, at Hurst Jr's residence located at 5670 Edgehill Road, Sumter, SC. Agents located a firearm, three separate bags with a total weight of approximately 34.5 grams of a crystal-like substance believed to be methamphetamine, an orange and blue container containing approximately 44.5 grams of a wax-like substance believed to be marijuana, and a plastic container with a black top containing approximately 32 grams of a tan wax like substance believed to be marijuana, were found in a room identified as Hurst Jr's by witnesses on scene. A field test was conducted on the crystal-like substance that provided the results of presumptive positive for methamphetamine. Following the search, Deputies with the Sumter County Sheriff's Office arrested Hurst Jr. and booked him into custody at the Sumter County Detention Center on state charges.

7. On April 16, 2024, Special Agents with the FBI Columbia Field Office were reviewing recorded calls made by Hurst Jr. while he was incarcerated at the Sumter County Detention Center. During a recorded face to face visit with communication through phones between Hurst Jr. and his girlfriend, Amanda McKechan that occurred on April 15, 2024 at 9:10 a.m. the following conversation took place;

Hurst Jr: "Um, did you get all the hard drives?"

McKechan: "Um, most of them, most of them. I have the bag that's on top of the shelf still I gotta grab."

Hurst Jr: "Okay. Um, is there one that is um black and kind of like triangle shaped."

McKechan: "No, but I know where that one is."

Hurst Jr: "Destroy it. Destroy it."

McKechan: "Okay."

Hurst Jr: "Don't open it on anything, destroy it."

McKechan: "Okay."

Hurst Jr: "Okay, I need that gone."

McKechan: "Okay."

Hurst Jr: "Um."

McKechan: "I'll do that on the way home."

Hurst Jr: "Hm?"

McKechan: "I'll do that on the way home."

Hurst: "Okay, um, I just don't need."

McKechan: "You're fine."

Hurst: "It has nothing to do with anything that important, but I feel like it could get dad in trouble.

And I don't want it to get dad in trouble. Just..."

8. Based on the above recorded jail visit, FBI Special Agents from the Columbia Division had probable cause, based on a lawfully obtained jail recording from Donald Hurst Jr to his girlfriend, Amanda McKechan, that a black triangular shaped hard drive located at 5670 Edgehill Drive, Sumter, SC contained evidence of a crime and was set to be destroyed by McKechan at the specific direction of Hurst Jr. On April 16, 2024, Special Agents met with Donald Ray Hurst Sr. (Hurst Sr.) outside the residence at 5670 Edgehill Drive, Sumter, SC, and asked Hurst Sr. if he was aware of a black triangular shaped hard drive in the house. Hurst Sr. informed Special Agents that Hurst Jr. and McKechan left items in the room Hurst Jr. and McKechan occupied. Without any direction from Special Agents, Hurst Sr. went into the residence and came out a few minutes later with a black Seagate hard drive with a triangular edge (Serial number 5RN0BYHE), and additional electronics to include two Compaq laptops (serial numbers CNF7415CW3, CNF12520HP). Special Agents seized the

black Seagate hard drive and the Compaq laptops and brought them to the FBI Columbia Field Office.

9. On April 17, 2024, at 3:10 PM Hurst Jr. called McKechan at McKechan's phone number (803) 830-9439, and instructed McKechan to give the phone Hurst Sr. Hurst Sr. informed Hurst Jr. that the FBI took some laptops and a black Seagate hard drive. Hurst Jr. responded by saying, "I might be in prison for the rest of my life." During the same call, McKechan also verbalized over to the phone to Hurst Jr. that she could not locate the hard drive in Hurst Jr.'s room. Hurst Jr. then made another recorded phone call to McKechan's phone (803) 830-9439 at 4:32 p.m. and McKechan indicated she was searching through the belongings she took from Hurst Jr.'s room, but still could not find the hard drive. Hurst Jr. then stated the following;

Hurst Jr: "So I'm going to talk now for a minute, and I need you to not interrupt me. Okay?"

McKechan: "K."

Hurst Jr: "My name is Donald Ray Hurst Jr.; I know that this is a recorded line, and I know that this can be used against me as evidence in a court of law. I did knowingly and willingly possess my mother's or my father's 9 mm Taurus handgun, and I did shoot the power regulator on Fish Rd. This is not an act of terrorism but an act of wanton mischievousness. I did not mean- I didn't know that the tower- the regulator, powered Shaw. I'm by no means (UI) terrorist. The hard drive that was found at my parents' house is mine and the content on it is from 18 years ago when I was messing around on the dark web, and I did know that it had child pornography on it. I did try and have it destroyed [UI]. These are all the crimes I'm guilty of and I'll testify to the same in court. As far as the shooting of the building of Cipov, I was driving the car,

but um Chad Allen Kron shot a 12 gauge shotgun out of the side window at that building, and I will testify to the same. Those are all of my crimes.”

10. In the same call in the previous paragraph, McKechan and Hurst Jr have the following discussion of the possible ages of the child pornography;

McKechan: “Yeah. Do you- Do you know how old they were on- on the hard drive? Cause that’s gonna make a big difference.”

Hurst Jr: “It was very young. Like they could’ve been anywhere from uh, on some of them, 10 to 15 and other ones maybe 15 to 16. Whatever the youngest bracket is, I’d probably just go and put that on it. It’s not something I was into; I was just downloading the worst shit that I could find on the dark web.”

11. In the same jail call in the previous paragraph, Hurst Jr provides the following statement on when was the last time he accessed the hard drive while using one of the Compaq laptops;

Hurst Jr: “No that's not true, I'm sorry. It has been accessed in the last um hell in the last six months. Not that I was- again- I wasn't using it. I plugged it into one of the Compaq computers cause I forgot what was on it and I opened it up and clicked on one of the files and I immediately remembered what it was and took it back off the computer. Um I could have destroyed it then. I should have got rid of it then and I didn't. I threw it in the closet, I meant- I meant to get rid of it. Like you know that's not me, you know that's not what I'm into.”

12. Based on the on the previously described jail calls, I respectfully submit that there is probable cause to believe that the Seagate hard drive and the Compaq laptops will constitute evidence of violations of (1) 18 U.S.C. 2252A(a)(2) (Receipt/Distribution of Child Pornography) and (2) 18 U.S.C. 2252A(a)(5)(B) (Possession of Child Pornography). I also

submit that there is probable cause to believe that the information sought on these Devices will constitute evidence and will lead to the conclusive identification of the individual who is engaged in the commission of these offenses as well as possible victims.

CONCLUSION

13. I submit that this Affidavit supports probable cause for a search warrant authorizing the examination of the Device described in Attachment A to seek the items described in Attachment B.

Respectfully submitted,

Andrew Fales

Andrew Fales
Special Agent
FBI

SWORN TO ME VIA TELEPHONE OR
OTHER RELIABLE ELECTRONIC MEANS
AND SIGNED BY ME PURSUANT TO
FED. R. CRIM. P. 4.1 AND 4(d) OR 41(d)(3),
AS APPLICABLE.

This 7th day of May, 2024

Columbia, South Carolina

Shiva V. Hodges
The Honorable Shiva V. Hodges
UNITED STATES MAGISTRATE JUDGE